

Attorney's Docket No. DY0U13.1A2CP1

AUG 30 2002

PATENT &amp; TRADEMARK OFFICE

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **NUCLEOTIDE SEQUENCES AND PROTEIN SEQUENCES**; the specification of which was filed on January 21, 2002 as Application Serial No. 10/054,399.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application listed below.

Application No.: 60/169,699

Filing Date: December 7, 1999

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign applications for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATIONS****Priority  
Claimed**

No.: GB9721358.1	Country: Great Britain	Date Filed: October 8, 1997	Yes
No.: GB9721357.3	Country: Great Britain	Date Filed: October 8, 1997	Yes
No.: GB9812793.9	Country: Great Britain	Date Filed: June 12, 1998	Yes

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior U.S.A. Applications**

Application No.: 08/951,141	Filing Date: October 15, 1997	Status: Pending
Application No.: 09/732,180	Filing Date: December 7, 2000	Status: Abandoned

Attorney's Docket No. DYOU13.1A2CP1

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Peter Michael Alijoscha Nern

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 675 Charles E Young Drive South, Los Angeles, CA 90095-1662

Citizenship: German

Post Office Address: Same As Above

Full name of second inventor: Robert A. Arkowitz

Inventor's signature Robert A. Arkowitz

Date 26/06/02

Residence: Universite de Nice, Faculte des Sciences-Parc Valrose, 06108 Nice Cedex 2, France

Citizenship: United States

Post Office Address: Same As Above

Send Correspondence To:  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
Customer No. 20,995

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Attorney's Docket No. DYOU13.1A2CP1

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Peter Michael Aljoscha Nern

Inventor's signature

Date

Residence: 675 Charles E Young Drive South, Los Angeles, CA 90095-1662

Citizenship: German

Post Office Address: Same As Above

Full name of second inventor: Robert A. Arkowitz

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PATENT & TRADEMARK OFFICE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nern, et al. )  
App. No. : 10/054,399 )  
Filed : January 22, 2002 )  
For : NUCLEOTIDE SEQUENCES AND )  
PROTEIN SEQUENCES )  
Examiner : UNKNOWN )

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and

: 10/054,399  
: January 22, 2002

revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

MEDICAL RESEARCH COUNCIL

Dated: 23 July 2002

By: M. R. Wood  
Signing Officer's Signature

Martin R Wood PhD  
Director, Licensing and Agreements  
Medical Research Council Technology

\_\_\_\_\_  
Signing Officer's Name

Title: \_\_\_\_\_

Address: 20 Park Crescent  
London W1B 1AL  
UNITED KINGDOM

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PATENT

Client Code: DY0U13.1A2CP1

Page 1

Application No.: 10/054,399  
Filing Date: January 21, 2002**COPY**  
ASSIGNMENT

H4MI/VCLA A-M

WHEREAS, We, Peter Michael Alijoscha Nern, a citizen of Germany, residing at 675 Charles E Young Drive South, Los Angeles, CA 90095-1562, and Robert A. Arkowitz, a citizen of the United States, residing at Université de Nice, Faculté des Sciences-Parc Valrose, 06108 Nice Cedex 2, France, have invented certain new and useful improvements in a NUCLEOTIDE SEQUENCES AND PROTEIN SEQUENCES for which we have filed an application for Letters Patent in the United States, on January 21, 2002 as Application No. 10/054,399;

AND WHEREAS, Medical Research Council (hereinafter "ASSIGNEE"), a London Corporation, with its principal place of business at 20 Park Crescent, London W1B 1AL, United Kingdom, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 17 day of July, 2002

Peter Michael Alijoscha Nern  
Peter Michael Alijoscha Nern

STATE OF

COUNTY OF

On \_\_\_\_\_ before me, \_\_\_\_\_ personally appeared Peter Michael Alijoscha Nern personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

On \_\_\_\_\_ WITNESS my hand and official seal.  
WITNESSED BY

[SEAL]

Notary Signature

THOMAS HUMMEL  
NAME (PRINTED)

**COPY**

Application No.: 10/054,399  
Filing Date: January 21, 2002

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 26 day of June, 2002

Robert A. Arkowitz  
Robert A. Arkowitz

STATE OF

ss.

COUNTY OF

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared Robert A. Arkowitz  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are  
subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and  
that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the  
instrument.

~~WITNESS my hand and official seal~~

~~(SEAL)~~

WITNESSED BY

Martine Bassilana  
Notary Signature

Martine Bassilana  
NAME (PRINTED)

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